

Application No.: 10/600,719

Case No.: 57918US002

Remarks

Claim 1 has been amended to correct the matter of inconsistent introductions to the claims noted by the Examiner in her rejection of claims 2-6 under 35 USC § 112.

Claim 4 together with claim 10 and the specification have been amended to correct the spelling of "planar" and thereby remove the examiners objection to claim 4.

Claims 5 and 12 have been amended to incorporate a feature previously recited in claims 6 and 13.

Claims 6 and 13 have been amended to recite a feature of the clips described in a sentence beginning at page 4, line 2 of the specification.

The specification has been amended at page 4 to update the status of U.S. Patent application No. 08/308,937 (now U.S. Patent No. 6,403,206).

We gratefully acknowledge the Examiners indication that claims 4 and 10 would be allowable if presented in independent form.

The Examiner, however, has rejected claims 1-3, 5-9, and 11-13 under 35 USC § 103(a) as being unpatentable over Ebner (U.S. Patent No. 3,965,599) in view of Chimel (U.S. Patent No. 5,653,414).

As indicated by the Examiner, Ebner describes an assembly including resilient elastic cords 36, 37 that can be used to hold sheets or pictures 28. That assembly, however is intended to store objects that are not being displayed along a rear surface of the assembly, and the elastic cords are attached to a member 12 of the assembly by "intermediate elements" in the form of staples or pegs (see column 4, lines 16-42 of Ebner). In contrast, the present invention is a display assembly rather than a storage assembly as described by Ebner, and, instead of staples or pegs for holding the elastic cords as described by Ebner, includes a plurality of clips of resiliently flexible material for holding the elastic cords. Each of those clips has a rear portion, a front portion laying along a front surface of the portion, and an arcuate end portion joining first ends of the rear and front portions and defining a passageway transverse of the front, rear, and end portions; and the display assembly according to the present invention also includes a plurality of lengths of stretch release adhesive by which rear surfaces of the clips can be releasably adhered to a surface in a predetermined pattern. That the present invention is a display assembly and the

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use of the clips and the lengths of stretch release adhesive to hold the elastic cord patentably distinguishes the present display assembly from the storage assembly described by Ebner.

The Examiner has acknowledged the above noted differences between the present invention and the storage assembly described by Ebner by citing Chimel and stating that "Chimel teaches resilient clips including a rear portion having a rear surface with adhesive thereon (Figure 3) and a front portion having a front surface. An arcuate portion connects the front and rear. It would have been obvious to a person having ordinary skill in the art to utilize clips to hold the cords of Ebner so that the cords will be more securely held in place yet may be easily moved."

While Chimel describes clips, those clips are described for use to hold eyeglasses and the like in place on a surface. There is no teaching or suggestion in Chimel to use such clips to hold objects other than eyeglasses or to replace the staples or pegs of Ebner to hold portions of the elastic cords described by Ebner. Also, there is no teaching or suggestion in Chimel to use stretch release adhesive to attach clips to a surface. Such use of the clips described in Chimel only appears obvious to the Examiner in the light of applicant's invention. Independent claims 1 and 7 that claim the combination of the clips described above together with lengths of stretch release adhesive and at least one elastic cord that form or can be used to form a display assembly should be allowed over the cited references, together with independent method claim 14 that describes the use of the clips, stretch release adhesive and elastic cord to form a display assembly.

Claims 2, 3, 5, and 6 are dependent on claim 1, claims 8, 9, 11, 12, and 13 are dependent on claim 7, and claims 15, 16, and 17 are dependent on claim 14. Thus these claims should be allowed for all of the reasons given above for the allowance of the claims on which they are dependent. Also, certain of these claims recite additional structural elements or method steps that are not shown or suggested by the cited art. For example, **claims 5 and 12** recite that the passageways in the clips have diameters of about 0.2 inch; **claims 6 and 13** have been amended to recite that the front portion of each of the clips presses firmly against the rear portion of the clip and those portions have opposed transverse ribs that nest between each other to provide undulating mating surfaces that can help to firmly hold a sheet between the front and rear

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portions; and **claim 16** as now amended recites that the front portion of each of the clips presses firmly against the rear portion of the clip and those portions have opposed transverse ribs that nest between each other to provide undulating mating surfaces that can firmly hold a sheet between the front and rear portions, and that the method further includes the step of supporting objects between front and rear portions of the clips.

Reconsideration in view of the above amendments and remarks, and allowance of all of the claims in the application are respectfully requested.

Respectfully submitted,

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Date

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